



STATE OF ALABAMA

ALABAMA PUBLIC SERVICE COMMISSION
P.O. BOX 304260
MONTGOMERY, ALABAMA 36130-4260

TWINKLE ANDRESS CAVANAUGH, PRESIDENT

JOHN A. GARNER, EXECUTIVE DIRECTOR

JEREMY H. ODEN, ASSOCIATE COMMISSIONER

CHRIS "CHIP" BEEKER, JR., ASSOCIATE COMMISSIONER

MEMORANDUM

DATE: April 25, 2023

TO: Commissioner Twinkle Andress Cavanaugh
Commissioner Jeremy H. Oden
Commissioner Chris "Chip" Beeker, Jr.

FROM: Jeff Johnston, Director *JJN*
Utility Services Division

SUBJECT: Agenda for May 2, 2023 Commission Meeting.

The following items will be presented to the Commission during the regular May 2, 2023 Commission Meeting.

CONSUMER SERVICES REPORT

CONSUMER SERVICES ELECTRIC & GAS INQUIRIES

April

3/25/2023 - 4/24/2023

Company	Service Category	Total Inquiries	Service Outage Interruption	Service Quality	Service Connection	Service Disconnected	Billing Issues	Payment Issues	Request Info Only
Alabama Power	Residential	13	1	1	1	1	2	3	4
	Business								
Spire Alabama	Residential	4					3	1	
	Business								
Spire Gulf	Residential								
	Business								
TOTAL	Residential	17	1	1	1	1	5	4	4
	Business								

BASIC SERVICE ONLY

Company	Service Category	Total Inquiries	Service Outage	Service Quality	Service Connection	Service Disconnection	Billing Issues	Payment Issues	Lifeline	Request Info Only
ILEC	Residential	2	1				1			
	Business									
CLEC	Residential	1					1			
	Business									
TOLL	Residential									
	Business									
OTHER	Residential									
	Business									
Total Under PSC Complaint Jurisdiction		3	3				2			

OTHER RETAIL SERVICES/ISSUES

Service Category	Total Inquiries	Toll Service	Internet Service	Slamming Cramming	Wireless Issues	Number Porting Issues	Video CATV	Inmate Calling Service	Request Info Only
Residential	7		4		1	1			1
Business	3					2			1
Total	10		4		1	3			2
Not Under PSC Jurisdiction	5		4		1				
Under PSC Jurisdiction	5					3			2

Other Retail Services/Issues Under PSC Jurisdiction (Above)	5
Basic Service Inquiries Under PSC Jurisdiction (Previous Page)	3
Total Telecom Inquiries Under PSC Jurisdiction (Non-referrals)	8
Inquiries Not Subject to PSC Jurisdiction	5

Referred Inquiries (Waived Complaint Jurisdiction)	
Residential	11
Business	2
TOTAL	13

TOTAL TELECOM INQUIRIES			
Under PSC Complaint Jurisdiction	Waived Complaint Jurisdiction (Referrals)	Received But Not Under PSC Jurisdiction	Total Received
8	13	5	26

Gas Agenda

NATURAL GAS

Docket 18046 and SPIRE ALABAMA INC. -- Division Report on Rate RSE as of March 31,
18328 2023

Based on preliminary figures at point-of-test March 31, 2023, the projected RSE return on average common equity for the rate year ending September 30, 2023, was 8.19 percent, which was below the authorized range and results in no adjustment to rates. The authorized return on average common equity is 9.50 to 9.90 percent.

Docket 28101 SPIRE GULF INC. -- Division Report on Rate RSE as of March 31, 2023

Based on preliminary figures as of March 31, 2023, the projected RSE return on average common equity for the rate year ending September 30, 2023, was 10.75 percent. The authorized return on average common equity is 9.70 to 10.30 percent.

Docket U-4850 SPIRE ALABAMA INC. -- Application for Approval of an Amendment to a Special Services Agreement with Baxter Healthcare Corporation.

Recommend Approval

Docket U-5439 SPIRE ALABAMA INC. -- Application for Approval of Agreements for Firm Transportation Service between Spire Alabama Inc. and Transcontinental Gas Pipe Line Company, LLC

Recommend Approval

Docket U-5440 SPIRE ALABAMA INC. -- Application for Approval of an Agreement for Eminence Storage Service between Spire Alabama Inc. and Transcontinental Gas Pipe Line Company, LLC

Recommend Approval

Water Agenda

WASTEWATER

- Docket 31555 O'BRIEN ENVIRONMENTAL SERVICES, LLC -- Petition for approval to modify Certificate of Financial Viability. Expands the service territory of O'Brien Environmental Services, LLC to own, operate and maintain the wastewater collection and treatment facility for the Lakemont Village Subdivision Phase I located in the community of Cropwell in St. Clair County, AL.
;
Recommend Approval.
- Docket 31803 INTEGRATED WASTEWATER MANAGEMENT, INC. -- Petition for approval to modify Certificate of Financial Viability. Expands the service territory of Integrated Wastewater Management, Inc. to own, operate and maintain the wastewater collection and treatment facility for Hidden Hills Subdivision located in Cullman County, AL.

Recommend Approval.
- Docket 32606 PINNACLE WASTEWATER SYSTEMS, LLC -- Petition for the 2023 renewal of Pinnacle Wastwater Systems LLC's Certificate of Financial Viability.

Recommend approval.

Telecommunication Agenda

INTERCONNECTION AGREEMENT (S)

- Docket U-5441 ACCELECOM GA LLC and BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST -- Approval of an Interconnection Agreement between BellSouth Telecommunications, Inc d/b/a AT&T Alabama or AT&T Southeast and Accelecom GA LLC pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.
Recommend Approval.

AMENDED INTERCONNECTION AGREEMENT (S)

- Docket U-4407 BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST and SOUTHERN LIGHT, LLC -- Request Approval of an Amendment to the Interconnection Agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Alabama or AT&T Southeast and Southern Light, LLC pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.
Recommend Approval.
- Docket U-4415 BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST and CONTACT NETWORK, LLC d/b/a INLINE -- Request Approval of an Amendment to the Interconnection Agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Alabama or AT&T Southeast and Contact Network, LLC d/b/a INLINE pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.
Recommend Approval.
- Docket U-4927 FARMERS TELECOMMUNICATIONS COOPERATIVE, INC. and VERIZON WIRELESS -- Request Approval of an Amendment to the Interconnection Agreement (Traffic Exchange) between Verizon Wireless and Various of Its Subsidiaries/Affiliates and Farmers Telecommunications Cooperative, Inc. pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.
Recommend Approval.

Docket U-4988 BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST and CBTS TECHNOLOGY SOLUTIONS LLC -- Request Approval of an Amendment to the Interconnection Agreement between BellSouth Telecommunications, Inc d/b/a AT&T Alabama or AT&T Southeast and CBTS Technology Solutions, LLC pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

Recommend Approval.

Docket U-5275 BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST and UNITI FIBER LLC -- Request Approval of an Amendment to the Interconnection Agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Alabama or AT&T Southeast and Uniti Fiber LLC pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

Recommend Approval.

NAME CHANGE (S)

Docket 28317;
26422 BRIGHTSPEED OF SOUTHERN ALABAMA, LLC and CENTURYTEL OF ALABAMA, LLC d/b/a CENTURYLINK -- Request Approval of company name change to Brightspeed of Alabama, LLC. Filed April 12, 2023 with a requested immediate effective date.

Recommend Approval.

SUMMARY OF OTHER FILING (S)

D-7769 BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a AT&T ALABAMA or AT&T SOUTHEAST -- To remove the AT&T Dedicated Ethernet service description, terms and conditions, and pricing information, and redirect customers via a hyperlink to the AT&T Ethernet Service Guide. Filed April 6, 2023 with a requested effective date of May 6, 2023, (which is when the hyperlink will become available).

DOCKET 32151 - TELECOMMUNICATION PROVIDERS FILING NOTICE OF THEIR ELECTION TO WAIVE THE COMMISSION'S RETAIL SERVICE COMPLAINT AND DISPUTE JURISDICTION IN ACCORDANCE WITH §37-2A-4(K) of ALABAMA LEGISLATIVE ACT 2014-082.

APRIL 2023 ELECTIONS:

NONE

PRIOR ELECTIONS:

ACN Communications Services, Inc.

BellSouth Telecommunications, LLC d/b/a AT&T Alabama (Effective June 1, 2014)

CenturyTel of Alabama, LLC d/b/a CenturyLink

Knology of Alabama, Inc. d/b/a WOW! Internet, Cable and Phone

Knology of the Valley, Inc. d/b/a WOW! Internet, Cable and Phone

Knology Total Communications, Inc. d/b/a WOW! Internet, Cable and Phone

Frontier Communications of Alabama, LLC

Frontier Communications of Lamar County, LLC

Frontier Communications of the South, LLC

Gulf Telephone Company d/b/a CenturyLink

McLeodUSA Telecommunication Services

National Telephone of Alabama, Inc.

Network Telephone Corporation

Paetec Communications, Inc.

Roanoke Telephone Company, Inc.

Spectrotel of Alabama, LLC

TEC of Jackson, Inc.

The Other Phone Company

US LEC of Alabama, LLC

Valley Telephone Co., LLC d/b/a WOW! Internet, Cable and Phone

Wiregrass Telecom, Inc. d/b/a WOW! Internet, Cable and Phone

Windstream Alabama, LLC

Windstream Communications, Inc.

Windstream KDL, Inc.

Windstream Norlight, Inc.

Windstream NuVox, Inc.

YMax Communications Corp.

FIELD SERVICES

March 2023

The Field Services Section (FSS) Staff inspected two wastewater treatment plants during the month of March.

Kings Ridge and River Point are both managed by Community Utilities of Alabama and both are located in Tuscaloosa County. Both systems, one a Bioclere system and the other, a Sand Filter, were both working as designed at the time of this inspection.

Two Water Systems were also inspected during March.

Water Works Inc. was inspected and the system looked fine but trash, (old parts and debris) were strwn out behind the pumphouse needing to be cleaned up. A major leak just days before this inspection was attributed to a contractor boring through a 6" main while installing fiber optics for AT&T. Quick response on the part of all kept the water loss to about 50,000 gallons. No other discrepancies were noted during this inspection.

Plantation Water was also inspected with no discrepancies noted during this inspection.

Note: O'Brien Environmental Wastewater and Lakeside Leisure LLC. were scheduled to be inspected in March. The company representative kept rescheduling for different reasons. As of this writing (20 April), the systems have finally been inspected.



STATE OF ALABAMA
PUBLIC SERVICE COMMISSION
P.O. BOX 304260
MONTGOMERY, ALABAMA 36130

TWINKLE ANDRESS CAVANAUGH, PRESIDENT

JOHN A. GARNER, EXECUTIVE DIRECTOR

JEREMY H. ODEN, ASSOCIATE COMMISSIONER

CHRIS "CHIP" BEEKER, JR., ASSOCIATE COMMISSIONER

MEMORANDUM

DATE: April 25, 2023

TO: President Twinkle Andress Cavanaugh
Commissioner Jeremy H. Oden
Commissioner Chris "Chip" Beeker, Jr.

FROM: Jonathan M Kimbril, Acting Director *JMK*
Gas Pipeline Safety Division

SUBJECT: Agenda for May 2, 2023, Commission Meeting

This memorandum reflects activities of the Gas Pipeline Safety (GPS) Division that will be presented at the May 2, 2023, Commission Meeting.

Inspections

GPS performed the following inspection the month of March, a total of forty-nine (49) inspections were conducted utilizing eighty-nine (89) person-days. The inspections and training sessions are itemized as follows:

Standard Inspection	Construction	Operator Qualification	Public Awareness	IMP / DIMP	Control Room	Incident /Accident	Section 114	Drug & Alcohol	Follow-Up	Total Inspections
9	12	3	5	4	0	0	1	3	12	49

From the forty-nine (49) inspections shown above, eleven (11) enforcement letter of notification were issued, noting forty-four (44) non-compliance issues. There were nine (9) non-compliance items corrected during the month of March.

Training

No operator/contractor training sessions on Polyethylene (PE) plastic fusion were conducted during the month of February:

Incidents/Accidents

There were three state and one federal reportable incidents during the month of March. Two of the State reportable incidents were in the southern section and the other was in the northern section. The federal incidents resulted in a fire and an explosion with no injuries. All of the incidents were on natural gas.

Federal Incident

- 3/6/2023 – Huntsville Utilites – A service line was struck by a contractor working to install under-ground fiber cable by directional boring. The contractor did not locate the under-ground utilities prior to directional boring. The escaping gas migrated to the house at the address. The gas had a flash ignition causing a small explosion. The flash ignition resulted in a fire that caused a loss of the house and two vehicles. This investigation is still on going.

State Incident

- 3/24/2023 – Florence Gas Dept. – A tornado struck Florence, AL, this resulted in damaged on 2 a inch main, and 2 service lines caused by uprooted trees. Ten houses that utilized natural gas were damaged resulting in leaks on the homeowner's side of the gas meter.
- 3/21/2023 – South alabama Gas District – Alabama Power damaged a distribution 2 inch main. Alabama Power had an active one call ticket. The main was mis-marked due to locating tape being degraded and not providing an effective means to locate accurately.
- 3/28/2023 – South Alabama Utilities – During a storm, a gas service line was struck by lightning causing a leak that resulted in a fire. The fire was in the yard and did not spread. The fire was put out and repairs made.

Miscellaneous

Gas Pipeline Safety attended the Alabama Natural Gas Association (ANGA) spring seminar. This allows an informal meeting that inspectors can provide clarity concerning issues operators are facing. Acting Director Kimbril also presented on regulations updates.

Pipeline and Hazardous Materials Safety Administration (PHMSA) conducted an audit of field operations of the Gas Pipeline Safety Program. The audit resulted in a perfect score of this portion of the program.



STATE OF ALABAMA

ALABAMA PUBLIC SERVICE COMMISSION

P. O. BOX 304260

MONTGOMERY, ALABAMA 36130-4260

TWINKLE ANDRESS CAVANAUGH, PRESIDENT
JEREMY H. ODEN, ASSOCIATE COMMISSIONER
CHRIS "CHIP" BEEKER, JR., ASSOCIATE COMMISSIONER

JOHN A. GARNER, EXECUTIVE DIRECTOR

MEMORANDUM

DATE: April 25, 2023

TO: President Twinkle Andress Cavanaugh
Commissioner Jeremy H. Oden
Commissioner Chris "Chip" Beeker, Jr.

FROM: G. Scott Morris, Director *GSM*
Utility Enforcement Division

SUBJECT: Agenda for the May 2, 2023, Commission Meeting

This memorandum reflects the Utility Enforcement Division's (UED) report describing the major tasks, inspections and activities accomplished by its staff during the month of March 2023.

RAILWAY SAFETY

The track inspection results below reflect activity by our Railway Safety (RWS) Staff in the field.

Rail Carriers Visited	Regular Track Inspections	Track Defects Identified	Violations Recommended	Track Miles Inspected	Track Turnouts Inspected
6	27	137	0	461	180

The table below reflects track safety observations made in which one non-compliant condition was identified. Eighty-two roadway workers, bridge workers, and practices were observed.

Railroad Bridge Observations	Roadway Worker Protection	Roadway Maintenance Machines	Bridge Worker Safety
61	11	8	0

The data in the table shown below was collected from Motive Power & Equipment (MP&E) inspections that were performed on locomotives, freight cars, tank cars, and other railroad equipment.

Rail Carriers Visited	Regular Eqpt. Inspections	Defects Identified	Violations Recommended	Number of Units Inspected
7	20	238	0	1,039

The table below shows observations completed by the MP&E Inspector in which no non-compliant conditions were identified.

Air Brake Tests	Blue Flag Protection	End of Train Devices
0	2	0

There were six incidents reported by the National Response Center (NRC) in March:

1. A train reported human remains in the track in Dothan on **CSX**
2. A release of 250 gallons of sulfuric acid in Purdue Hill on **Alabama River Cellulose**
3. A derailment in Anniston on **NS**. This derailment resulted in an investigation by the NTSB.
4. A vehicle strike was reported with three injuries to the vehicle occupants involving Amtrak in Irvington on **CSX**
5. A derailment in Tuscaloosa on **ABS**
6. A derailment in a rail yard in Irondale on **NS**

RWS staff investigated three derailments in March. On March 9 staff investigated the **NS** mainline derailment with FRA and NTSB investigators. On March 28 staff investigated the **ABS** industrial lead derailment with FRA investigators and on March 31 staff investigated the **NS** yard derailment with FRA investigators.

Amtrak is operating a train between Mobile, AL, and New Orleans, LA without passengers. These runs are being conducted for crew qualification purposes to prepare for Amtrak passenger service. Contrary to the initial NRC reporting, the crossing strike that occurred on March 28 did not involve any passengers. RWS staff followed up via telephonic communication with the rail carrier to verify that no passengers were involved.

MOTOR CARRIER SERVICES

The Motor Carrier Services (MCS) staff accomplished the following matters regarding state authority to operate as a motor carrier in Alabama with proof of insurance coverage:

Vehicle Registration Numbers	Intrastate Applications		NOL Processed/ Closed Intra Applications	Under Legal Division Review	New Authority Approved	Motor Carrier Authority Inquiries		
	Processed	Returned				Phone	E-mails	Others
60	14	3	5	15	19	74	173	21

MCS staff members handled the tasks shown below regarding insurance coverage, prepared correspondence that challenged incorrect filings and addressed related inquiries:

Insurance Filings Received	Revocation Orders	Reinstatement Orders	Miscellaneous Actions	Letters Sent	Insurance Inquiries	
					Phone	E-mails
336	33	21	8	30	48	371

The MCS Section addressed the following Unified Carrier Registration (UCR) responsibilities:

UCR Applications		UCR Mailouts for 2023	UCR Audit Correspondence	UCR Inquiries	
Received	Returned			Phone	E-mail
9	1	211	12	81	87

As of March 31, there were 8,876 Alabama carriers (71%) registered for 2023 UCR with 3,557 that remain unregistered. Our office received funds from the UCR Depository for February online payments processed through the National Registration System (NRS) that came from 947 carriers that were domiciled in Alabama and some that were in non-participating states. Also, during the month, the UCR Depository made its first distribution to states that have not reached their cap. Currently Alabama is still under its cap.

In March, \$1,809 was collected for Focused Anomaly Reviews (FARs) audits for the 2023 UCR registration year.

The staff also assisted motor carriers in making necessary changes to their operating status with the Federal Motor Carrier Safety Administration (FMCSA). There were 14 MCS-150 forms processed. Eight motor carriers had their USDOT number deactivated. Six forms contained updates to the motor carriers' USDOT number data.

MCS staff attended the UCR Enforcement Subcommittee call and the UCR Finance Subcommittee call during the month.

Staff received three For Non-Profit (FNP) quarterly reports from one FNP carrier for the second, third and fourth quarters of 2022.

A total of 11 2022 annual reports were received from household goods and passenger carriers.

In March, one passenger tariff for **Dennis Luxury Transportation LLC (C4144)** was received and accepted.

There was one desk audit of household goods carrier **Dixie Moving & Storage, Inc. (C572)** completed during the month. The carrier was advised to carefully follow the rates outlined in its tariff and update its rates if needed.



STATE OF ALABAMA
PUBLIC SERVICE COMMISSION
P.O. BOX 304260
MONTGOMERY, ALABAMA 36130

TWINKLE ANDRESS CAVANAUGH, PRESIDENT

JOHN A. GARNER, EXECUTIVE DIRECTOR

JEREMY H. ODEN, ASSOCIATE COMMISSIONER

CHRIS "CHIP" BEEKER, JR., ASSOCIATE COMMISSIONER

April 25, 2023

MEMORANDUM

**TO: President Twinkle Andress Cavanaugh
Commissioner Jeremy H. Oden
Commissioner Chris "Chip" Beeker, Jr.**

**FROM: John D. Free, Director *JDF*
Electricity Policy Division**

SUBJECT: Agenda – May 2, 2023 Commission Meeting

The Electricity Policy Division will present the following items at the May 2, 2023 Commission Meeting.

ELECTRICITY

ALABAMA POWER COMPANY

Dockets 18117 Division Report on Rate RSE and Rate ECR as of March 31, 2023
and
18416; The Electricity Policy Division performed the regular monthly examination
18148 of the books and records of Alabama Power Company. Included in the table
below are selected financial highlights concerning Rate RSE and Rate ECR.
In addition, the Division's computations and determination of the December
2023 Weighted Return on Average Retail Common Equity (WRRCE),
actualized through March 2023, can be found on page 2 of this report.

Rate RSE Forecast		Rate ECR Summary
12 Months Ending DECEMBER 31, 2023		Energy Cost Over/(Under) Recovered for MARCH 2023
5.65% WRRCE		\$37,420,635

*The authorized Weighted Return on Average Retail Common
Equity Range is 5.75% - 6.15%.

ELECTRICITY POLICY DIVISION
Alabama Power Company
Weighted Return on Average Retail Common Equity Calculation
Forecast - 12 Months Ending December 31, 2023

Common Equity as of March 31, 2023		\$11,994,340,914
Add Budgeted Net Income:		
April through December 2023	\$983,426,303	
Add Budgeted Capital Contributions:		
April through December 2023	\$77,195,753	
Add Other Adjustments:		
April through December 2023	\$0	\$1,060,622,056
Deduct Budgeted Stock Dividends:		
April through December 2023	\$861,786,111	\$861,786,111
Projected Common Equity for December 31, 2023		\$12,193,176,859
Projected Average Common Equity		
For the 12 Months Ending December 31, 2023		\$11,981,821,553
Projected Retail Investment Separation Factor		94.99%
Projected Average Retail Common Equity		
For the 12 Months Ending December 31, 2023		\$11,381,532,293
Projected Retail Net Income		
For the 12 Months Ending December 31, 2023		\$1,221,502,001
Projected Common Equity Percentage of Capital Structure		
For the 12 Months Ending December 31, 2023		52.65%
Projected Weighted Return on Average Retail Common Equity (WRRCE)		
For the 12 Months Ending December 31, 2023		5.65%

The Common Equity as of March 31, 2023 (Actual) was adjusted using net income, payment of Common Stock and Preferred Stock dividends, Capital Contributions, and Other Adjustments from the Company's 2023 budget. The average common equity is a 12-month average using actual and budgeted data. The average retail common equity (RCE) was calculated using the retail separation factor of 94.99%. The retail net income (RNI) for average common equity and the common equity percentage (CEP) were calculated by using actual data for the three months ended March 31, 2023, and then adding nine months of budget data for April through December 2023. The Other Adjustments, if any, are the result of the Company adopting FASB Statement 123 (R), which requires the reporting of stock option expenses.

The Forecast is subject to change due to uncertainties associated with weather, customer usage patterns and economic conditions across the state.

ELECTRICITY POLICY DIVISION AGENDA

May 2, 2023 Commission Meeting

Page 3

Docket U-5040 On April 14, 2023, Alabama Power Company (the “Company”) filed a petition seeking to modify Rate ODL (Unmetered Outdoor Lighting). Currently, Rate ODL is generally available to commercial and industrial customers, while residential customers are limited to service under Rate FPL (Unmetered Protective Lighting). The proposed revisions to Rate ODL would expand availability under the rate to include qualifying residential customers and provide such customers access to lighting options not available under Rate FPL, such as LED lights.

Recommendation: Approval



STATE OF ALABAMA

ALABAMA PUBLIC SERVICE COMMISSION
P.O. BOX 304260
MONTGOMERY, ALABAMA 36130-4260

TWINKLE ANDRESS CAVANAUGH, PRESIDENT

JEREMY H. ODEN, ASSOCIATE COMMISSIONER

CHRIS "CHIP" BEEKER, JR., ASSOCIATE COMMISSIONER

JOHN A. GARNER, EXECUTIVE DIRECTOR

MEMORANDUM

DATE: April 26, 2023

TO: Commission President Twinkle Andress Cavanaugh
Commissioner Jeremy H. Oden
Commissioner Chris "Chip" Beeker, Jr.
Division Directors

FROM: Legal Division

SUBJECT: Agenda - May 2, 2023 Commission Meeting

The Legal Division will present the following at the May 2, 2023 Commission Meeting:

DOCKET 33353 (Y) - Unopposed motor carrier application of AML Services LLC, of Ozark, Alabama, for a certificate to transport passengers. The Applicant waived its right to a Report and Recommended Order.

Recommend: Grant

DOCKET 33274 (Y) - *Alabama Public Service Commission v. All Motor Carriers Who Failed to File Annual Reports for 2021 Operations*. Motor Carrier Annual Report Proceeding. Bolt Movers, LLC d/b/a Bolt Movers, of Huntsville, Alabama has now properly filed its Annual Report for 2021 operations.

Recommend: Dismissal of Bolt Movers, LLC d/b/a Bolt Movers from Motor Carrier Annual Report Proceeding and Reinstatement of Certificate.

LEGAL DIVISION AGENDA

May 2, 2023 Commission Meeting

April 26, 2023

PAGE #2

DOCKET 33274 (Y) - *Alabama Public Service Commission v. All Motor Carriers Who Failed to File Annual Reports for 2021 Operations*. Motor Carrier Annual Report Proceeding. Magic City Limousine & Sedan, LLC, of Pinson, Alabama has now properly filed its Annual Report for 2021 operations.

Recommend: Dismissal of Magic City Limousine & Sedan, LLC from Motor carrier Annual Report Proceeding and Reinstatement of Certificate.

DOCKET 24167 (Y) - Petition of Smith Mobile Homes, Inc., of Dothan, Alabama, to recommence operations under Motor Carrier Certificate F5180. Motor Carrier Certificate F5180 was suspended at the request of Smith Mobile Homes, Inc. for a period of one year by Commission Order dated January 7, 2022.

Recommend: Grant request to recommence operations under Motor Carrier Certificate F5180.

DOCKET 31474;
C-20579 (Y) - Petition of Melissa Powell d/b/a Powell Express, of Clio, Alabama, to suspend operations under Motor Carrier Certificate F4404 (Docket 31474) for a period of one year. Motor Carrier Certificate F4404 was revoked by Commission Order dated April 4, 2023, due to Petitioner's failure to maintain proper proof of liability and cargo insurance coverage (Informal Docket C-20579).

Recommend: Reinstatement of Motor Carrier Certificate F4404 (Informal Docket C-20579) for the sole purpose of suspending Certificate F4404 in good standing (Docket 31474). Grant one-year suspension.

DOCKET 32902 (Y) - Petition of Buettner Bros. Lumber Company, Inc., of Cullman, Alabama, for cancellation of Motor Carrier Certificate F5151.

Recommend: Grant cancellation as requested

DOCKET C-20600 (B) - Petition of Harry's Excavating & Septic Tank Inc, of Cottondale, Alabama, for approval of cargo self-insurance.

Recommend: Approval

LEGAL DIVISION AGENDA

May 2, 2023 Commission Meeting

April 26, 2023

PAGE #3

DOCKET C-20476 (B) - Petition of Ehrren's Transport L.L.C., of Harvest, Alabama, for reinstatement of Motor Carrier Certificate F4758 which was revoked due to Petitioner's failure to maintain proper proof of liability and cargo insurance coverage.

Recommend: Grant/Reinstatement

DOCKET 33357 (B) - Petition of First Baptist Church of Baltimore Street, Inc., of Mobile, Alabama, for cancellation of Motor Carrier Certificate FNP A-37.

Recommend: Grant cancellation as requested